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**Introduced by Senator Cedillo**

February 13, 2003

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An act to amend Section 10002 of the Welfare and Institutions Code, relating to social services.

LEGISLATIVE COUNSEL'S DIGEST

SB 226, as introduced, Cedillo. Social services: conservatorship and guardianship proceedings.

Existing law authorizes the appointment of the county counsel or the district attorney to initiate and carry out proceedings for the appointment of a public or private guardian or conservator or for changing the form of legal protection, under specified circumstances, when an applicant for or recipient of public social services is incapable of managing his or her own resources and planning or carrying out arrangements for his or her maintenance and cannot secure the services of a private attorney.

This bill would make technical nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 10002 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 10002. When an applicant for or recipient of public social
- 4 services is incapable of managing his *or her* own resources and
- 5 planning or carrying out arrangements for his *or her* own care and
- 6 maintenance, and the applicant or recipient cannot secure the

1 services of a private attorney, if authorized by the board of  
2 supervisors, the county counsel at the request of the county  
3 department, or the district attorney, if a county counsel does not  
4 exist, may initiate and carry out proceedings for the appointment  
5 of a public or private guardian or public or private conservator, or  
6 for changing the form of legal protection when this is indicated.  
7 Costs incurred in such proceedings for the protection of applicants  
8 or recipients, when not available from the person's own resources,  
9 shall be a proper welfare administrative or service cost, except  
10 where a relative engages a private attorney to accomplish this  
11 purpose.

